

Notice of Allowability

Application No.

10/648,629

Examiner

Lorna M. Douyon

Applicant(s)

RANADE ET AL.

Art Unit

1751

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment dated July 8, 2005.
2. ☒ The allowed claim(s) is/are 1-11 and 19 renumbered 1-12 respectively.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Lorna M. Douyon
Lorna M. Douyon
Primary Examiner
Art Unit 1751

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Alan A. Bornstein on September 13, 2005 and January 6, 2006.

2. The application has been amended as follows:

In the specification:

2.1. On page 4, line 9, the phrase "according to claim 1" has been replaced with the following:

--comprising inclusions of perfume particles wherein said particles comprise particle carrier material and perfume whereby said process comprises the steps of a) forming a film of water reactive material containing inclusions of perfume particles; b) solidifying said film by cooling and/or drying and c) comminuting the solidified film into perfume film chips comprising inclusions of perfume particles--.

2.2. On page 4, line 21, the phrase "according to the process of claim 1" has been replaced with the following:

-- of a) forming a film of water reactive material containing inclusions of perfume particles; b) solidifying said film by cooling and/or drying and c) comminuting the solidified film into perfume film chips comprising inclusions of perfume particles--.

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In the claims:

2.1. In claim 1:

a) lines 2-3, the phrase “particles comprise particle carrier material and perfume whereby said’ has been deleted;

b) line 5, after “particles” the following has been added:

--wherein said particles comprise particle carrier material and perfume loaded into said carrier material-- (support is found in original claim 1 and page 26, lines 23-24).

2.2. In claim 19, line 4, after “particles” the following has been added:

--wherein said particles comprise particle carrier material and perfume loaded into said carrier material--.

2.3. Claims 12-18 and 20 have been cancelled without prejudice to their continued prosecution in a continuation application.

2.4. The TITLE has been replaced with: PROCESS FOR PREPARING PERFUME FILM CHIPS.

STATEMENT OF REASONS FOR ALLOWANCE

3. The following is an examiner’s statement of reasons for allowance:

The claims are amended to make it more clear that the perfume particles “wherein said particles comprise particle carrier material and perfume loaded into said carrier material” are in the active step (a) of the recited process. Hence, with this amendment, Chromecek, the closest prior art of record, as argued by applicants, fails to disclose a process for preparing perfume film chips wherein a film is formed containing inclusions of perfume particles as those recited in step

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(a) of present claims 1 and 19. In further review of WO 98/12298, which is supplied in PTO-1449, it is noted that the process in this reference does not teach, disclose or suggest a process for preparing perfume film chips in the manner as those recited in the claims, in particular step (a) which is forming a film of water reactive materials as those recited because the product exiting the chilled roll/flaker 22 of this reference has a particulate physical form as disclosed on page 7, lines 20-21, and not as a film as required in the present claims. Accordingly, the subject matter as a whole would not have been obvious to one of ordinary skill in the art.

The prior art made of record and not relied upon is considered pertinent to applicants' disclosure. The references are considered cumulative to or less material than those discussed above.

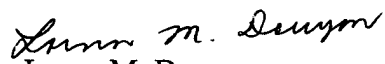
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lorna M. Douyon whose telephone number is (571) 272-1313. The examiner can normally be reached on Mondays-Fridays from 8:00AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yogendra Gupta can be reached on (571) 272-1316. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Lorna M. Douyon
Primary Examiner
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